

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- May 18, 1966

Appeal No. 8757 H. A. & E. E. Lange, appellants

The Zoning Administrator of the District of Columbia, appellee

On motion duly made, seconded and unanimously carried the following Order was entered by the Board at its meeting on May 31, 1966.

EFFECTIVE DATE OF ORDER: July 5, 1966

ORDERED:

That the appeal for permission to extend present nonconforming antique shop to the second floor of 304 & 306 Independence Ave., S.E., lot 804, Square 788, be granted.

From the record and the evidence adduced at the public hearing, the Board finds the following facts:

- (1) Appellants' property is located in an R-4 District.
- (2) In Appeal No. 8560, the Board issued an Order dated February 21, 1966 changing a nonconforming use from a valet shop to an antique shop with an incidental use for the sale of oriental rugs at 304 Independence Ave., S.E.
- (3) Appellants now desire to extend that use to the second floor of 304 and 306 Independence Ave., S.E.
- (4) Appellants state that the large second floor was built to be used as a public assembly hall and was used for that purpose for about 50 years.
- (5) Appellants state that the second floor has 13-foot ceiling, and that the depth of the building and the size of the windows preclude leasing as an apartment. The two buildings are not divided and the second floor covers both 304 and 306.
- (6) The Capitol Hill Southeast Citizens Association and the Capitol Restoration Society have letters on file indicating their approval of the requested extension of the nonconforming use.
- (7) No opposition was registered at the public hearing.

OPINION:

The Board is of the opinion that the extension of the nonconforming use to the second floor will have no adverse affect on the present

OPINION cont'd.:

character or future development of the neighborhood. The use will be consistent with the purpose and intent of the Zoning Regulations and the Comprehensive Plan for the District of Columbia.

The Order shall be subject to the following condition:

No neon or gas tube displays shall be located on the outside of the building, nor shall any such displays, if placed inside of the building, be visible from the outside of the structure.